

Guardianship Program Rules

107 Right to Appeal of Denial of Certification or Conditional Approval

107.1 Right of Appeal. Every applicant denied shall have a right of appeal before an Appeals Panel. The applicant shall receive a copy of the written application file relied on by the Board with the notice of denial.

107.2 Appeals Panel. The Chair shall appoint an Appeals Panel made up of three Board members who did not serve on the Application Committee.

107.3 Filing of Appeal. An applicant may appeal denial of certification or conditional approval by submitting a written request to:

Certified Professional Guardian Board
Administrative Office of the Courts
PO Box 41170
Olympia WA 98504-1170

107.4 Procedure for Appeal

107.4.1 Commencement. The request must:

107.4.2 Be filed within sixty (60) calendar days of the date the denial of application was issued;

107.4.3 Identify the applicant; and

107.4.4 Explain fully the applicant's reason for contesting denial of certification.

107.4.5 Additional Material Shall Not be Considered. The appeal is limited to the information submitted originally by the applicant for application purposes, and reviewed by the Applications Committee. Denied applicants wishing to submit additional information may newly apply. (Revised 7-9-12)

107.4.6 Stipulations. The Appeals Panel may use written stipulations. (Adopted 1-12-00)

107.4.7 Time Lines and Scheduling of the Appeal.

107.4.7.1 The date of review of the appeal will be not more than sixty (60) calendar days from the date of receipt of applicant's materials by the AOC. The AOC will notify the applicant of the scheduled date for the consideration of the appeal.

107.4.7.2 An Appeals Panel will not consider any request for appeal that does not strictly comply with the times stated, unless waived. Upon a showing of good cause, the Appeals Panel may waive the time requirements, reschedule the review for an earlier, or later date.

107.4.8 Review by the Appeals Panel. The Appeals Panel shall make a decision based solely on the written record.

107.4.9 Decision of the Appeals Panel. Within twenty (20) calendar days after the date of review of the appeal, the assigned Appeals Panel shall file with the AOC written findings of fact, conclusions of law, and a recommendation to the Board to approve or deny the appeal. (Amended 11-12-02)

107.4.10 Decision of the Board. Within sixty (60) calendar days of the Appeals Panel's decision, the Board shall review the findings, conclusions and recommendation of the Appeals Panel. The Board shall adopt, modify, or reverse the findings, conclusions, and recommendation of the Appeals Panel. A copy of the Board's decision, as set forth in the minutes of the Board meeting or in a separate written decision of the Board, shall be served on the applicant by mail within thirty (30) calendar days.